

**AMENDMENTS TO THE CLAIMS:**

**Listing of Claims**

The following listing of claims replaces all prior listings of claims in this application:

1-96. (Cancelled)

97. (Previously presented) An apparatus for measuring progress and time of completion of an assay in an assay device, comprising:

- (a) said assay device comprising
  - a reaction chamber and
  - at least one diagnostic lane, wherein a label is provided in said reaction chamber;
- (b) an optical component for detecting a signal generated from said label in at least one discrete zone of said diagnostic lane; and
- (c) a signal processor for determining said progress and time of completion of said assay in said assay device from at least one parameter selected from the group consisting of a rate of change of the amount of said signal and an absolute amount of said signal;

wherein the label does not appreciably bind to assay reagents in said assay device.

98-104. (Cancelled)

105. (Previously presented) A kit for measuring progress and time of completion of an assay in an assay device, comprising:

- (a) instructions comprising text or diagrams about the apparatus and/or kit; and
- (b) an apparatus, comprising:
  - (i) said assay device comprising
    - a reaction chamber and
    - at least one diagnostic lane, wherein a label is provided in said reaction chamber;

- (ii) an optical component for detecting a signal generated from said label in at least one discrete zone of said diagnostic lane; and
- (iii) a signal processor for determining said progress and time of completion of said assay in said assay device from at least one parameter selected from the group consisting of a rate of change of the amount of said signal and an absolute amount of said signal;

wherein the label does not appreciably bind to assay reagents in said assay device.

106-118. (Cancelled)

119. (Previously Presented) An apparatus for measuring progress and time of completion of an assay in an assay device, comprising:

- (a) said assay device comprising a reaction chamber, and at least one diagnostic lane, wherein said diagnostic lane is in fluid communication with said reaction chamber, when fluid and a detectable label are added to said reaction chamber;
- (b) an optical component for detecting a signal generated from said label in at least one discrete zone of said diagnostic lane; and
- (c) a signal processor for determining said progress and time of completion of said assay in said assay device from at least one parameter selected from the group consisting of a rate of change of the amount of said signal and an absolute amount of said signal;

wherein the label does not appreciably bind to assay reagents in said assay device.

120-128. (Cancelled)

129. (Previously presented) The apparatus of claim 97, wherein said label is linked to a member of a binding pair.

130. (Previously presented) The apparatus of claim 129, wherein the member of a binding pair is selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.

131. (Previously presented) The apparatus of claim 97, wherein said assay reagents are selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.

132. (Previously presented) The apparatus of claim 97, wherein said label is selected from the group of molecules consisting of dye, fluorescence emitting dye, chemiluminescence emitting dye, infrared emitting dye, colloidal sol, molecule that generates an electrical and/or magnetic signal, and enzyme.

133. (Previously presented) The kit of claim 105, wherein said label is linked to a member of a binding pair.

134. (Previously presented) The kit of claim 133, wherein the member of a binding pair is selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.

135. (Previously presented) The kit of claim 105, wherein said label is selected from the group of molecules consisting of dye, fluorescence emitting dye, chemiluminescence emitting dye, infrared emitting dye, colloidal sol, molecule that generates an electrical and/or magnetic signal, and enzyme.

136. (Previously presented) The kit of claim 105, wherein said assay reagents are selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.

137. (Previously presented) The apparatus of claim 119, wherein said label is linked to a member of a binding pair.

138. (Previously presented) The apparatus of claim 137, wherein the member of a binding pair is selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.

139. (Previously presented) The apparatus of claim 119, wherein said label is selected from the group of molecules consisting of dye, fluorescence emitting dye, chemiluminescence

emitting dye, infrared emitting dye, colloidal sol, molecule that generates an electrical and/or magnetic signal, and enzyme.

140. (Previously presented) The apparatus of claim 119, wherein said assay reagents are selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.